

ESTTA Tracking number: **ESTTA277833**

Filing date: **04/13/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91189211
Party	Defendant EVOTEKS EV VE OTEL TEKSTILI; SANAYI VE TICARET LIMITED SIRKETI
Correspondence Address	Anthony D. Logan Venable, Campillo, Logan & Meaney PC 1938 E. Osborn Road Phoenix, AZ 85016 UNITED STATES pto_adl@vcmlaw.com
Submission	Withdrawal Of Application
Filer's Name	Anthony D. Logan
Filer's e-mail	pto_adl@vcmlaw.com
Signature	/Anthony D. Logan/
Date	04/13/2009
Attachments	Request for Express Abandonment.pdf (2 pages)(62868 bytes)

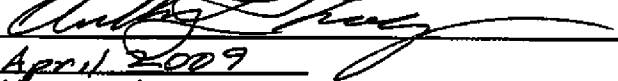
Request for Express Abandonment

To the Commissioner for Trademarks:


MARK: DR. MATTRESS
SERIAL NUMBER: 79031661

OPPOSITION NUMBER: 91184821

By submission of this request, the applicant hereby expressly abandons the application for trademark registration made under the serial number identified above. Except as provided in 37 C.F.R. Section 2.135. (concerning the commencement of an opposition, concurrent use, or interference proceeding), the fact that an application has been expressly abandoned shall not, in any proceeding in the United State Patent and Trademark Office, affect any right that the applicant may have in the mark which is the subject of the abandoned application.

Signature: 
Date: 13 April 2009
Signatory's Name: Anthony D. Logan
Signatory's Position: Attorney for Applicant and Defendant

With Consent:

Signature: 
Date: 13 April 2009
Signatory's Name: Neal J. Blaher
Signatory's Position: Attorney for Plaintiff for Mattress Doctor, Inc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MATTRESS DOCTOR, INC.,

Opposer,

v.

Application Serial No. 79/031661

Opposition No. 91189211

EVOTEKS EV VE OTEL TEKSTILI;

SANAYI VE TICARET LIMITED SIRKETI,

Mark: DR. MATTRESS

Applicants.

WITHDRAWAL OF OPPOSITION

The parties having reached an amicable resolution of their dispute, Plaintiff/Opposer MATTRESS DOCTOR, INC. ("Opposer"), pursuant to 37 C.F.R. §2.106(c), hereby withdraws its Opposition against Defendant/Applicant EVOTEKS EV VE OTEL TEKSTILI; SANAYI VE TICARET LIMITED SIRKETI ("Applicant") application pursuant to Section 66A to register DR. MATTRESS in connection with furniture products in classes 10 and 20 and textile products in class 24.

Such withdrawal coming prior to Applicants filing an answer to the opposition, it is submitted without prejudice.

Respectfully submitted,

Date: 13 April 2009

/s/Neal J. Blaher

NEAL J. BLAHER, ESQUIRE

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